

**MICHIGAN DEPARTMENT OF CIVIL SERVICE
JOB SPECIFICATION**

ATTORNEY SPECIALIST

JOB DESCRIPTION

Employees in this job function as attorneys in a specialized area of practice. The attorneys routinely and regularly handle the most complex, varied, sensitive and difficult legal assignments involving civil, administrative or criminal litigation, or formal legal opinions, regulatory matters and financial or contractual transactions on behalf of the various state agencies whose legal interests are represented by the Department of Attorney General.

There is one classification in this job.

Position Code Title – Attorney Specialist-1

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The employee functions as a legal specialist. The employee must, at a minimum, manage a workload comprised of 75% complex, varied, sensitive and difficult legal assignments. The employee progresses through the salary range based on performance as evaluated by the Department of Attorney General under a performance appraisal system.

JOB CONCEPTS

Litigation Specialist

This attorney routinely and independently handles the most complex civil, criminal, administrative or appellate litigation in a specialized area of practice within the Department of Attorney General. This complex litigation includes, for example, cases which involve multiple jurisdictions, parties, claims, or a combination of each, requiring extensive and complicated pretrial or prehearing practice and trial or hearing strategies; capital criminal offenses or other crimes with potential life sentences; unique or precedential issues pertaining to the civil or criminal law of the state or its licensing or regulatory functions; or extraordinary damages or financial penalties, if liability or responsibility is established.

Transaction Specialist

This attorney routinely and independently drafts, reviews, negotiates and authorizes approval of the terms and conditions of the most complex a) bid documents, contracts, leases and purchase or sale documents or b) financial, loan, bond or investment documents in a specialized area of practice within the Department of Attorney General. This specialist is assigned matters which present highly complex legal, financial or technical issues and relationships involving vendors, contractors, lessors, sellers or purchasers, underwriters, trustees, bond counsel, placement agents and other sophisticated finance professionals.

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JOB DUTIES

NOTE: The job duties listed are typical examples of the work performed by positions in this job classification. Not all duties assigned to every position are included, nor is it expected that all positions will be assigned every duty.

Litigation Specialist

Develops and implements strategies pertaining to litigation, including the assessment of defenses, theories of the case, discovery plan, the credibility of witnesses, the admissibility of evidence, the use of expert witnesses, pretrial and trial motion practice, and other strategies affecting the course of litigation.

Conducts complex discovery involving lay and expert witness depositions, and obtaining and reviewing medical, financial, scientific, and other complex records necessary to the litigation.

Utilizes expert witnesses from various disciplines on both liability and damages issues.

Conducts complex and extensive research on unique or precedential issues for presentation to a court or an administrative tribunal in written form and in oral argument.

Participates in mediation, arbitration, or other alternative dispute resolution proceedings required by a court or an administrative tribunal.

Participates in negotiations, supervised by a court or an administrative tribunal, involving settlement or other issues unique to the litigation such as the presentation of confidential or privileged material, protective orders, trial presentation, or jury instructions.

Conducts complex pretrial motion practice pertaining to discovery issues, protective orders, temporary restraining orders, preliminary injunctions, dispositive motions, evidentiary issues and motions in limine, for example.

Develops trial strategies including challenges to evidence, the presentation of witnesses, documentary evidence, jury selection, opening statements, closing arguments, trial or hearing motions, and written submissions, for example.

Tries complex jury and non-jury trials or administrative hearings.

Conducts post trial or post hearing motion practice involving the preparation or response to motions for relief from orders or judgments entered in the litigation.

Prepares or responds to appeals from orders and judgments requiring the review and analysis of lengthy transcripts and numerous exhibits and the development of, or

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response to, complex fact and legal issues involving unique or precedential issues impacting the state's jurisprudence, or involving constitutional or other challenges to legislation pertaining to the state's regulatory functions, budget or financing, or public health, welfare, or safety.

Presents oral arguments before state and federal courts of appeal and the Michigan Supreme Court in appeals involving unique or precedential issues impacting the state's jurisprudence, or involving constitutional challenges to legislation pertaining to the state's regulatory functions, budget or financing, or public health, welfare, or safety.

Transaction Specialist

Develops and implements strategies pertaining to the structure and compliance of proposed contractual or financial transactions under state or federal law.

Analyzes highly complex, new or hybrid, contractual or financial transactions which require the application or adaptation of legal, structural, contractual or finance principles.

Conducts complex due diligence.

Structures contractual or financial transactions which establish new or unique approaches and techniques to accommodate the needs of the state, its constituent municipalities, state programs and initiatives, and statutory finance authorities.

Handles contractual or financial transactions involving large sums of money affecting the continuing viability of existing programs as well as new initiatives.

Analyzes contractual or financial transactions on a post-closing basis to mitigate disputes and respond to requests for interpretation of transactional documents.

Handles contractual or financial transactions, which require the application of extensive experience, highly refined skills, analysis, and research, in the application of contractual principles and tax and securities analysis.

Conducts and participates in negotiations relating to contractual or financial transactional documents and the settlement or resolution of transactional or contractual based disputes.

Issues legal opinions on highly complex contractual or financial transactions and documents where there is no definitive precedent.

Conducts complex research and provides advice on unique or precedential issues involving constitutional or statutory interpretation relating to state or municipal level financing or contracts and their application to the state agencies' missions, budget, or the public health, safety, and welfare of the people of the state.

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Handles contractual or financial transactional matters, which affect the financial solvency of the state, or the extension of contractual, finance and investment programs, which provide statewide networks and access to public debt and investment markets.

Negotiates, structures, and approves multi-state or pooled financing mechanisms, leases for state office buildings, complex tax exempt lessor financing or public financing for the provision or construction of state facilities, buildings, prisons, public housing, medical facilities, highway, and student loans.

Litigation Specialist and Transaction Specialist

Directs a team of lawyers working on a specific litigation or transaction matter.

Prepares training material and conducts training sessions on particular legal topics.

Receives special assignments involving complex matters or projects.

JOB QUALIFICATIONS

Knowledge, Skills, and Abilities

Thorough knowledge of fundamental subjects in law.

Thorough knowledge of legal research procedures.

Thorough knowledge of the preparation of briefs and presentation of arguments for cases before state and federal agencies and courts.

Thorough knowledge of the practices and procedures of the Department of Attorney General.

Thorough knowledge of applicable court rules, rules of evidence, administrative rules and procedures.

Thorough knowledge of the law in the assigned legal area.

Thorough knowledge of the legal implications and potential liabilities associated with programs administered by the agencies represented.

Ability to communicate effectively, both in writing and orally.

Ability to use judgment, tact, and discretion.

Ability to quickly assimilate oral and written data, to analyze facts, and draw logical conclusions.

Ability to provide direction to other attorneys.

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Ability to maintain records, and prepare reports and correspondence related to the work.

Ability to function on an independent basis with minimum supervision.

Ability to maintain favorable public relations.

Working Conditions

Movement to this classification is by reclassification/reallocation and on a temporary basis subject to annual review and renewal, if assignments continue to satisfy the requisite criteria.

Physical Requirements

None.

Education

Possession of a Juris doctorate degree from an accredited law school.

Experience

Two years of experience as a senior attorney in the Department of Attorney General.

Special Requirements, Licenses, and Certifications

Membership in good standing in the Michigan State Bar.

NOTE: Equivalent combinations of education and experience that provide the required knowledge, skills, and abilities will be evaluated on an individual basis.

JOB CODE, POSITION TITLES AND CODES, AND COMPENSATION INFORMATION

Job Code

ATTYSPL

Job Code Description

Attorney Specialist

Position Title

Attorney Specialist-1

Position Code

ATYSPL2A

Pay Schedule

NERE-022P